

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

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MALCOLM JOHNSON, :
: .
: .
Plaintiff, : .
: CASE NO.: 4:17-cv-00001-HEA
vs. : .
: .
NORTH OAKS GROUP, INC., : .
: .
Defendants. : .
-----x

**JOINT MOTION TO DISMISS PLAINTIFF'S CLAIMS WITH PREJUDICE AND
RETAIN JURISDICTION**

Malcolm Johnson, Plaintiff, and defendant North Oaks Group, Inc., through their respective counsel, respectfully submits this Consent Motion to Dismiss Plaintiff's Claims With Prejudice. The parties seek to dismiss Plaintiff's claims for the following reasons, subject to the Court retaining jurisdiction to enforce the settlement agreement:

1. Plaintiff and defendant North Oaks Group, Inc. have reached an agreement upon a full and final settlement agreement that includes certain future performances by the parties.
2. The settlement documents have been executed and a check has been issued.
3. A material term of the settlement agreement is that any Court of Competent Jurisdiction can enforce the terms of the settlement agreement. *See, e.g.*, Fed. R. Civ. P. 41(a)(2); *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 381-2 (8th Cir. 1994).
4. Counsel for defendant has reviewed this Motion and the attached Order prior to same being filed with the Court, and consents and agrees to the entry of the Order and the relief requested therein.

WHEREFORE, Malcolm Johnson, Plaintiff, and defendant, North Oaks Group, Inc., through their respective counsel, respectfully requests that this Court grant this consent motion

and: dismiss this lawsuit with prejudice, retain jurisdiction to enforce the settlement agreement, and administratively close Plaintiff's claims.

Respectfully Submitted,

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Counsel for Defendant

By: /s/ Bryan M. Kaemmerer
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been delivered to all counsel of record on June 30, 2017, by ECF filing.

By:/s/ Marc P. Florman
MARC P. FLORMAN